

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.224 OF 2005

Mumbai Junior College Teachers
Union & ors. Petitioners
v/s.
Seth L.U. Jhaveri College of Arts
& Sir M.V.College of Science &
Commerce & ors. Respondents

Mr.Mihir Desai i/by Ms.Debbarman for petitioners.

Mr.S.C.Naidu i/by M/s.C.R. Naidu & Co. for
res.Nos.1 & 2.

Mr.M.N. Naik for res.Nos.3 & 4.

**CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.**

DATED : 9TH FEBRUARY 2005

P.C. :

1. Heard Mr.Desai in support of this
petition. Mr.Naidu appears for respondent Nos.1
and 2 and Mr.Naik for respondent Nos.3 and 4.

2. The 1st petitioner-Union of Junior
Colleges' teachers has espoused this petition on
behalf of the 2nd and 3rd petitioners who have
become surplus in respondent No.1-college. The
petition was filed at a stage when their further
continuation in employment was in difficulty.

After the petition was filed, Mr.Naidu appearing for respondent Nos.1 and 2, has tendered the letters dated 25th January 2005 addressed by the Deputy Director of Education. Those letters are brought on record by the petitioners by carrying out the amendment. Under those letters, the 2nd petitioner is to be absorbed in Wilson Junior College, Girgaon, Mumbai and the 3rd petitioner is to be absorbed in B.E.S. Menon Junior College, Bhandup, Mumbai. As far as the 2nd and 3rd petitioners are concerned, there is no reason to continue this petition any further.

3. As far as the other grievances, namely, that respondent Nos.1 and 2 are purposely reducing the strength of the students and that their action is mala fide are concerned, although we record the denial of these allegations by Mr.Naidu appearing for respondent Nos.1 and 2, it will be open to the 1st petitioner to raise these grievances, if any such occasion arises. No need to interfere with those grievances in the present petition. The petition is dismissed.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)